

# Notice of Allowability

Application No.

09/900,493

Examiner

Christian La Forgia

Applicant(s)

FREED ET AL.

Art Unit

2131

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10 November 2006.
2. ☒ The allowed claim(s) is/are 1,2,4-9 and 12-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f):
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

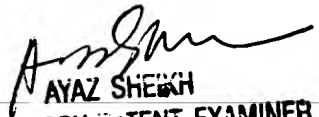
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date mailed with NOA.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100  
Part of Paper No./Mail Date 20070126

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Kent Sieffert (41,312) on Wednesday, 31 January 2007.

The application has been amended as follows:

16. (Currently Amended) A method of providing secure communications using limited buffer memory in an intermediary device, the secure communications providing a plurality of secure socket layer (SSL) records over an SSL session, the method comprising:

receiving, with the intermediary device, encrypted data for a portion of an SSL record, wherein the SSL record has a length greater than a TCP segment carrying said data;

buffering the encrypted data of the received portion of the SSL record in a memory buffer in the intermediary device, the buffer having a length equivalent to a block cipher size necessary to perform the cipher;

decrypting, with the intermediary device, the buffered portion of the encrypted data to provide decrypted application data; ~~and~~

forwarding the decrypted application data from the intermediary device to a destination device prior to authenticating the SSL record with the intermediary device; and

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authenticating the data with the intermediary device on receipt of a final segment of the encrypted data by the intermediary device after forwarding the unauthenticated application data of the SSL security record.

19. (Cancelled)

***Continued Examination Under 37 CFR 1.114***

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10 November 2006 has been entered.

4. Claims 1, 2, 4-9, and 12-18, and 20 have been presented for examination.

5. Claims 3, 10, and 11 have been cancelled as per Applicant's request.

6. Claim 19 has been cancelled in accordance with the Examiner's Amendment above.

***Response to Arguments***

7. Applicant's arguments, see page 8, filed 10 November 2006, with respect to claims 1, 2, 4-9, and 12-18, and 20 have been fully considered and are persuasive. The rejection of claims 1, 2, 4-9, and 12-18, and 20 has been withdrawn.

***Allowable Subject Matter***

8. Claims 1, 2, 4-9, 11-18 and 20 are allowed.

9. The following is an examiner's statement of reasons for allowance:

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As per claims 1, 7, and 16, the prior art of record, in particular U.S. Patent No. 6,681,327 to Jardin, shows that it is well known in the art for securing communication between a client on an open network and a server apparatus on a secure network, wherein the method performed on a intermediary apparatus coupled to the secure network and the open network, comprises:

negotiating, with the intermediary apparatus, a secure communications session with the client via the open network, wherein the secure communications session provides for communications of application data from the client to the intermediary apparatus via a plurality of security records, and wherein one or more of the security records includes encrypted application data spanning multiple data packets;

negotiating, with the intermediary apparatus, an open communications session with the server via the secure network;

receiving, with the intermediary apparatus, one or more of the data packets for a first one of the security records using the secure communication session;

prior to receiving a final packet of the first one of the security records, processing the one or more data packets of the first one of the security records with the intermediary apparatus by decrypting the encrypted application data in the received data packets forwarding decrypted, unauthenticated application data from the intermediary apparatus to the server via the secure network prior to authenticating the first one of the security records with the intermediary apparatus and discarding at least a portion of the decrypted, unauthenticated application data for the first one of the security records (see this or similar, but not necessarily identical language in independent claims 7 and 16).

There are no teachings in the prior art of the authentication step being performed at the intermediary apparatus with non-discarded, unauthenticated application data (i.e. claim limitation: upon receipt of the final packet of the first one of the security records, processing a remaining, non-discarded portion of the decrypted, unauthenticated application data for the first one of the security records to authenticate the first one of the security records with the intermediary apparatus [see this or similar, but not identical language in independent claims 7 and 16]). Since no teachings or motivation can be found for the authentication step being performed at the intermediary apparatus with non-discarded, unauthenticated application data, claims 1, 2, 4-9, and 12-18, and 20 are therefore novel and non-obvious.

10. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian La Forgia whose telephone number is (571) 272-3792.

The examiner can normally be reached on Monday thru Thursday 7-5.

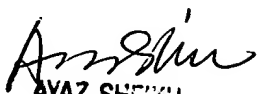
12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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